



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR:
REVOCATION OF THE LICENSE OF

ERIC ENGLE, R.N.
License # 26NO11007500

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Eric Engle ("Respondent") is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about January 11, 2013, after a review of documentation of continuing education that Respondent had furnished to the Board totaling 38.10 contact hours, Respondent was advised that he had only demonstrated 11.05 hours completed during the June 1, 2009- May 31, 2011 biennial renewal cycle. Respondent was asked to submit any additional certificates that he may have for the 2009-2011 renewal cycle.

3. Respondent submitted one additional certificate of completion which did not comply with the requirements of N.J.A.C. 13:37-5.3, as it did not indicate any contact hours, nor did it indicate approval by any credentialing body as continuing education for nurses. A listing of other in-service courses, also without any such designations, was also provided.

4. Respondent renewed his nursing license on or about May 3, 2011, and indicated "Y" for "yes" in response to the question as to whether he would have completed the required continued education credits for the renewal period by May 31, 2011.

CONCLUSIONS OF LAW

1. Respondent's failure to timely complete his continuing education obligation for the 2009-2011 renewal cycle constitutes a violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(h).

2. Respondent's failure to accurately indicate the status of his continuing education on his renewal application, in that he knew or should have known that continuing education must comport with the regulatory requirements of N.J.A.C. 13:37-5.3 constitutes a violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline provisionally imposing a public reprimand and a \$250 civil penalty was entered on May 23, 2013,

and a copy served on Respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

In response to the Provisional Order of Discipline, Respondent maintained that he was under the impression that the in-service classes provided by his employer counted as continuing education. Respondent maintained that if he received a certificate of completion he thought the class counted as continuing education. However, the Board's regulations, N.J.A.C. 13:37-5.3, as well as its website, clearly state that the course must include the number of credit hours awarded. Additionally, the regulations require that the course be approved, or accredited, as continuing education. Respondent provided certificates of completion for in-service classes which do not include credit hour designations or language indicating that the class was approved or accredited as continuing education.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Licensees have a duty to know, understand, and abide by the laws and regulation which govern their professional practice. Ignorance of the law is no excuse.

ACCORDINGLY, IT IS on this 11th day of Oct., 2013,
ORDERED that:

1. A public reprimand is hereby imposed upon Respondent for the violation of N.J.S.A. 45:1-21(b).
2. A \$250.00 civil penalty is hereby imposed upon Respondent for the failure to timely complete continuing education in violation of N.J.A.C. 13:37-5.3. Payment shall be in the form of a certified check or money order, made payable to the State of New Jersey, and shall be forwarded to the attention of George Hebert, R.N., Executive Director, Board of Nursing, P.O. Box 45010, 124 Halsey Street, 6th Floor, Newark, New Jersey 07101, within fifteen (15) days of the issuance of this Final Order of Discipline.

3. Hours of continuing education competed after May 31, 2011 and applied to cure any deficiency of a previous biennial period shall not be applied to satisfy the continuing education requirements of the current biennial period.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD, APRN, FAAN

Patricia Murphy, PhD, APN
Board President